



File # 11.60.00

To: Port Alberni Advisory Planning Commission

Ken McRae (Chair)	Chief Councilor Cynthia Dick (Tseshah First Nation)
John Douglas (Vice-Chair)	Chris Washington - (SD #70)
Amy Anaka	Councillor Deb Haggard (Council Liaison)
Jim Tatoosh (Hupacasath First Nation)	Rick Newberry (P.A.F.D. Liaison)
Don Ferster	Rob Gaudreault (Parks Liaison)
Jeannette Nichols	S. Sgt. Terry Smith (R.C.M.P. Liaison)
Sandy McRuer	

From: Katelyn McDougall, Manager of Planning

Copy: Councilor Helen Poon - (Alternate - Council Liaison)
Larry Ransom - (Alternate - School District #70)
Sgt. Peter Dione – (Alternate – R.C.M.P. Liaison) Pending
Steven Tatoosh (Alternate – Hupacasath First Nation)
Darren Mead-Miller (Alternate – Tseshah First Nation)
Cara Foden – Development Services Technician
Davina Hartwell - City Clerk
Tanis Feltrin/Sara Darling - Clerks Department

Date: March 13, 2019

Re: Advisory Planning Commission Meeting
Wednesday, March 20, 2019 at 12:00 pm in the Committee Room at City Hall

A meeting of the Advisory Planning Commission has been scheduled for **Wednesday, March 20, 2019 at 12:00 pm in the Committee Room at City Hall**. If you have any questions or are unable to attend please contact Cara Foden at 250-720-2850 (voice mail available).

AGENDA

- 1. Acknowledgements** - This APC meeting is being held within the un-ceded traditional territories of the Hupačasath and the Tseshah (č išaaʔath) First Nations
- 2. Minutes** of the February 21, 2019 meeting of the Advisory Planning Commission.
- 3. DEVELOPMENT APPLICATION – Proposed Official Community Plan bylaw and Zoning Bylaw Amendments**
2940 Bellshill Road - Lot E, District Lot 139, Alberni District, Plan VIP38023 (PID: 001-011-090)
Applicant: D. Carriere
- 4. DEVELOPMENT APPLICATION – Proposed Zoning Bylaw Amendment**
3512 Gagne Road - Lot A (DD EE1959), Block 30, District Lot 139, Alberni District, Plan 1562 (PID: 017-028-591)
Applicant: N. Bouelle

5. **Update** – Manager of Planning - Status of current projects.
 - a. **Zoning Bylaw Text Amendments pertaining to Residential Rentals** amendment T20
6. **Other business.**
7. **Adjournment.** The next regular meeting is scheduled for April 18, 2019.



**Summary Report / Minutes of the Advisory Planning Commission Meeting
(Held on February 21, 2019,
in the Council Chambers at City Hall, at 12:00 p.m.)**

Advisory Planning Commission Present

Ken McRae (Chair)
John Douglas (Vice-Chair)
Jeannette Nichols
Amy Anaka
Sandy McRuer
Don Ferster
Rob Gaudreault, Parks Liaison
S. Sgt. Terry Smith, R.C.M.P. Liaison
Councillor Deb Haggard, Council Liaison
Rick Newberry, P.A.F.D. Liaison

Staff

Katelyn McDougall, Manager of Planning
Cara Foden, Dev. Services Technician
Flynn Scott, Manager of Bylaw Services

Regrets

Chris Washington, SD #70 Liaison
Jim Tatoosh, Hupačasath First Nation
Cynthia Dick, Tseshah (č išaaʔath) First Nation

Alternates (not in attendance)

Councillor Helen Poon (Alternate–Council)
To be determined (Alternate–R.C.M.P.)
Larry Ransom (Alternate S.D.70)
Steve Tatoosh (Alternate Hupačasath First Nation)

Guests

Members of the Public – none present
Calum Adams - Applicant



1. Adoption of December 20, 2018 Minutes

- The Chair acknowledged that this meeting is taking place within the un-ceded traditional territories of the Hupačasath and the Tseshah (č išaaʔath) First Nations.
- Introductions were made and those in attendance were welcomed by the Chair.
- The minutes of the December 20, 2018 meeting of the Advisory Planning Commission were adopted.

(Douglas / Ferster) CARRIED

2. DEVELOPMENT APPLICATION – Development Variance

3541 10th Avenue - Lot 8, District Lot 1, Alberni District, Plan 5750, PID: 005-926-513

Applicant: C. Adams

- The Manager of Planning summarized her report to the APC dated February 14, 2019.
- The APC discussed the application as follows:
 - Discussion regarding the ramifications of granting a Variance for fence height - It was noted that a Variance could open a “can of worms” for the community by making an exception for an individual for front yard height.
 - Since this is a common request in Port Alberni, a relaxation on one property may result in other residents applying for higher fences in the Front Yard.
 - The Bylaw Manager spoke to the concern, agreeing that it would be problematic from an enforcement perspective. There are already existing challenges enforcing the bylaw, and there are many examples of non-compliance in the community.
 - Commission members agreed that there are fences and hedges in many locations in town that exceed height limits due to a lack of enforcement of existing regulations, therefore the suggestion was made that doing a review of the Fences and Hedges regulations would be desirable.

- Safety considerations were discussed, and it was noted that the current regulations are in place to improve safety through increased visibility (therefore increasing the chances that a fire, attempted break-ins, or other issues would be seen and emergency response called for sooner.)
- A 1.25 m (4.1ft) fence allows the emergency response services such as Ambulance, Fire Department or RCMP, to see house numbers from the street.
- It was noted that the community could take on the appearance of an “armed camp” if fence heights were increased.
- APC members discussed the addition of “lattice” to a shorter fence as an option for the applicant. The applicant did not feel that would permit enough privacy. APC suggested the use of shrubs to provide privacy.
- The Bylaw Manager did not feel that the discussed items would be practical to enforce.
- Corner lot fence and hedge heights were discussed. Some felt that higher fence heights might be appropriate in specific zones, or possibly along arterial roads but this should be the subject of a thorough review.
- RCMP commented that obstruction of views at intersections was very problematic.
- The applicant reiterated his concerns regarding privacy, yard space for tenants, protection of property and quiet enjoyment of their yard. He also stated that he would like to see universal enforcement of the bylaws.
- The Manager of Planning reported an inaccuracy in the report, clarifying that the owner does not have a suite. The tenants share the living space in the home.
- Discussion on the recommendations - It was expressed by the APC that they felt the City should do a review of Fence and Hedge regulations and that it may be appropriate to recommend a Variance for Mr. Adams property in the interim.
- The Chair called for a motion to deny the recommendations. There was considerable discussion to clarify the final motions that the APC members would like to support. Several motions were put forward and discussed, withdrawn and revised.
- A motion to allow the owner to add a standard 4ft fence with strip (2 ft) of lattice to the top, bringing the total height to 6 ft. With the 2 ft retaining wall that the fence will be erected on the top of the lattice will be approximately 8 ft from the street level.

MOTIONS:

1. *That the City of Port Alberni Advisory Planning Commission recommends to City Council that the City proceed with the Development Variance Permit to vary Zoning Bylaw #4832 as follows:*

- a) *To permit the addition of a standard dimension strip of lattice, having a maximum width of 0.6 m (2 ft), to the top of a 1.25 metres (4.1 ft) fence by varying Fences and Hedges Section 6.7.3, the height permitted within a required Front Yard, from 1.25 metres (4.1 ft) to 1.8 metres (6 ft), a Variance of 0.55 metres (1.8 ft), on Lot 8, District Lot 1, Alberni District, Plan 5750, PID: 005-926-513 (3541 10th Avenue).*

(Nichols / Ferster) CARRIED

2. *That the City of Port Alberni Advisory Planning Commission recommends to City Council that the City proceed with a review of the Zoning Bylaw regulations with respect to Fences and Hedges with special attention to arterial roads, corner lot visibility, fencing and hedging materials and location.*

(McRuer / Douglas) CARRIED

3. APPLICATION – Zoning Bylaw Text Amendments

a. **Hedges** - City Wide amendment T18

b. **Family, Dwelling Unit, Parking** - City Wide amendment T19

Applicant: City of Port Alberni

- The Manager of Planning summarized her report to the APC dated February 14, 2019.
- The APC discussed the application as follows:
 - Definition of Hedge- Discussion regarding need for clarity of definition of Hedge as there have been a number of Bylaw complaints.
 - Definition of Family – Manager of Bylaw summarized the rationale behind the proposed changes to the Bylaw.
 - The P.A.F.D. liaison expressed a number of safety related concerns regarding the proposed change to the definition of ‘Family’. It is the opinion of the P.A.F.D. that life safety issues may be created by sanctioning the changes as the changes would remove the ability of the P.A.F.D. to do inspections if a complaint is made about a high occupancy residence. He indicated that the situations exist in the community but with the current regulations in place there is the ability to inspect for life safety standards and enforce occupancy regulations when necessary. The Building and Fire Codes do not provide for a cap on occupancy loads in a residential home. The definition of ‘Family’ is the existing mechanism by which occupancy loads can be maintained at reasonable levels.
 - The proposed change will essentially enable every Single Family Dwelling to become a Multi-family dwelling. The implications regarding Fire Code are significantly large.
 - Kitchen fires were noted as one of the most frequent causes of residential fires.
 - Members of APC expressed the concern that the proposed changes would result in unlimited occupancy levels and there would be a rise in occurrences of ‘flop houses’ and unsafe living conditions.
 - Manager of Bylaw agreed that the Fire Code and Building Codes did not provide for the ability to cap occupancy in residential dwellings.
 - The APC asked whether or not the City had considered having the changes reviewed to obtain legal advice. It was indicated that no legal advice had been obtained and the APC member expressed that obtaining a legal opinion would be advisable.
 - APC indicated that difference between Rooming / Boarding house and Single Family Dwelling would be impossibly vague.
 - The R.C.M.P liaison was in agreement that the proposed change was problematic and creates overcrowding situations.
 - APC members discussed their concern expressed that the changes felt “knee jerk” in nature and rushed. They felt there should be a thorough review of the implications to changing a key definition within the Zoning Bylaw and that a long term approach should be considered when making changes.
 - APC noted that a report dated December 25, 2018, from consultant Joe Calenda and titled “The Next 1400 Days”, was presented to Council at the last regular meeting. A primary purpose of that report was the presentation of a strategy for growing Port Alberni by providing for affordable housing and attainable housing through ERD – Environmentally Responsible Development. APC members expressed their desire for an opportunity to review the report.

- APC members felt that changing the definition of a pivotal definition, such as that of 'Family', prior to reviewing the recommendations in Mr. Calenda's report, could be premature in light of key concerns expressed during this meeting.

MOTIONS:

a) *That the Advisory Planning Commission recommends to City Council that the City proceed with the proposed text amendment to Zoning Bylaw 2014, Bylaw No. 4382 as presented in the attached draft bylaw "Zoning Text Amendment No. T18 (Hedges), Bylaw No. 4981"*

(McRuer / Douglas) CARRIED

b) *That the Advisory Planning Commission recommends to City Council that the City does not proceed with the proposed text amendment to Zoning Bylaw 2014, Bylaw No. 4382 as presented in the attached draft bylaw "Zoning Text Amendment No. T19 (Family, Dwelling Unit, Parking), Bylaw No. 4982"*

(McRuer / Ferster) CARRIED

- Two voting members of the APC were unable to stay past 1:30 and had to leave the meeting. This resulted in a loss of quorum and postponement of discussion on the fourth Agenda item. It was determined that another meeting would be held when a quorum was available. The Planning Department will work to schedule a meeting at a time when a quorum of members is available.

4. Other business The Manager of Planning updated the APC regarding the following:

- Public consultation program for the "Harbourview" lands located at 5350 Argyle Street and 3050 Kingsway Avenue - the City is currently looking for community feedback regarding the possibility of developing the site, and a report will go to Council for consideration on March 11, 2019 with a summary of the feedback received.
- The project to redevelop the former Fairway Market building will not proceed at this time.
- Anderson Hill development – Phase 1 lots are for sale and Phase 2 bylaws are coming forward for adoption.

5. Adjournment – The chair adjourned the meeting at 1:45 p.m. The next regular meeting scheduled for March 21, 2019 will be rescheduled to a date TBA.

Davina Hartwell - City Clerk



Ken McRae – Chair



CITY OF PORT ALBERNI

PLANNING DEPARTMENT REPORT TO THE ADVISORY PLANNING COMMISSION

TO: Advisory Planning Commission

FROM: Katelyn McDougall, Manager of Planning

DATE: March 13, 2019

SUBJECT: DEVELOPMENT APPLICATION – Proposed Official Community Plan bylaw and Zoning Bylaw Amendments
2940 Bellshill Road - Lot E, District Lot 139, Alberni District, Plan VIP38023 (PID: 001-011-090)
Applicant: D. Carriere

Issue

The purpose of this report is to consider an application for amendments to the Official Community Plan bylaw and to the Zoning bylaw for the property at 2940 Bellshill Road.

Background

The subject property is a 1.47 ha (3.6 ac) parcel located in a semi-rural neighbourhood on the east side of the city, on the south side of Burde Street. The frontage on Carriere Road measures 182.977 metres (600.3') and is 40.466 metres (132.76') deep, fronting onto Bellshill Road. The property is currently vacant land.

An application has been made to amend the Official Community Plan bylaw and the Zoning bylaw in order to facilitate a subdivision application that would create six (6) semi-rural lots in an area of the city that is not currently serviced by city water, sanitary sewer or storm drains (see attached concept plan).

Official Community Plan and Zoning Bylaw

- a) The Official Community Plan designation for *Lot E, District Lot 139, Alberni District, Plan 38023 (PID: 001-011-090)* located at **2940 Bellshill Road**, is 'Future Residential' on the Official Community Plan Schedule A – Land Use Map. An amendment is required to designate the property as 'Residential'.
- b) The property does not lie within a Development Permit Area on the Schedule B – Development Permit Areas Map. No amendment is required.
- c) The property at **2940 Bellshill Road, Lot E, District Lot 139, Alberni District, Plan 38023 (PID: 001-011-090)**, is currently zoned FD – Future Development. A map amendment to the Zoning Bylaw Schedule A - Zoning Map is required to designate the properties as **RR2 – Semi Rural Residential**.

Discussion

Zoning:

The RR2 zone (see attached) allows for development of lots with a minimum frontage of 23 m and minimum lot size of 1160 m².

The proposed lots on the concept plan would have frontages of over 23 m and lot sizes exceeding the requirements of the zoning (see attached conceptual layout/site plan). It should be possible to subdivide the property to create five (5) new smaller properties along the east side of the parcel, and one (1) larger property along the west side of the parcel.

Surrounding Area and Lot Size

The subject property is located in a semi-rural neighborhood on the east side of the city, to the south of Burde Street. The surrounding area is primarily single family residential use in character and includes a variety of lot sizes. There are small acreages, mid-sized lots and several urban sized lots including small lots that were historically created when the area was originally surveyed. The proposed subdivision will be required to follow the best management practices laid out in the Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development in British Columbia, and also the Island Health 'Subdivision Standards, July 2013' document. Comments received from Island Health indicate a preference for a larger lot size than what has been proposed if the properties are not going to be connected to the municipal sewer system.

Infrastructure

Road: There is an existing, but unconstructed, road right of way for Bellshill Road along the north property boundary. There is also an existing, but unconstructed, road right of way for Gagne Road along the east property boundary. As the majority of proposed lots are along Carriere Road (west property boundary), Carriere Road should be required to be constructed to the City of Port Alberni standard in order to provide the created lots with access and frontage on a constructed city road way. The portion of Bellshill Road required to provide access to the single large lot on the east side of the property also needs to be constructed to the City's standards, and should come in off of Carriere Road. The applicant will be responsible for all or a portion of the costs of road construction, which will be determined prior to subdivision approval

Addressing: The lots facing Carriere Road would be assigned off Carriere, whereas the large single lot on the east side could remain addressed off Bellshill Road.

Water: Servicing of water needs to allow for looping of the water main, ideally around the perimeter of whole property within the Carriere, Gagne, and Morris Rd rights of way. This will allow for future servicing of properties east and west of the subject property.

There is a City water main available along the unconstructed Bellshill Road ROW adjacent to the north property boundary. This water main may need to be relocated as part of the subdivision design. As part of the subdivision process the applicant will be required to submit engineering design drawings and specifications completed by a Professional Engineer registered in BC and qualified by training and experience to undertake the required design. Designs shall conform to the requirements of the Engineering Department Standards and Specification as approved by the Director of Public Works.

Sanitary Sewer: The sanitary sewer system does not currently extend to this section of the City of Port Alberni. As part of the engineering design work for the second phase of the nearby Uplands subdivision an engineering feasibility for a gravity sanitary sewer system further east along Burde Street was undertaken. The area has become the subject of several recent zoning applications to facilitate further subdivision. The feasibility of extending the City sanitary sewer was examined. During servicing for the Uplands Phase II development, extension of the sanitary sewer main (300 mm dia PVC) was provided in anticipation of future development up Burde Street. The feasibility and cost of extending this sanitary main up Burde St to service this subdivision should be considered by the developer's Engineer, prior to approval of any on-site septic systems.

In April of 2017 the Advisory Planning Commission recommended to City Council that subdivision approval of a nearby application be subject to connection to the City Sanitary sewer infrastructure. Council supported the recommendations and the Bylaw was moved forward through a Public Hearing and 3rd reading but did not proceed to final adoption as the applicant let the application lapse.

Storm Drainage: A Storm Water Management Plan will be required to be prepared by the developer's engineer as part of the subdivision process. The plans will be prepared by the developer's engineer and approved by the Director of Public Works.

Private Utilities: BC Hydro and other private utilities are available along Burde Street. BC Hydro has provided comments, with there being two options for servicing.

The detailed issues regarding sanitary and storm sewer, water service and private utilities will be addressed in the preliminary layout approval during the subdivision process. All engineering submissions will be reviewed and approved by the Director of Public Works, and must adhere to the City's engineering standards.

The detailed issues and costs regarding servicing requirements will be specified during the Subdivision process and included in a Preliminary Layout Approval letter to the applicant.

Park, Trail and Wetland

A large portion of the property is treed and the property is located in area where wetland values may be impacted. An Environmental Assessment will be required as part of the subdivision process and details regarding the environmental areas will be required to be addressed in the Preliminary Layout approval.

Parkland dedication or payment in lieu will be a requirement of subdivision. As the property is located just north of Owatchet Creek and the Dry Creek Ravine there is access to the trail system in the ravine.

Referrals

RCMP

- Interests unaffected by the proposal.

Building Inspector

- The building department has no comments on this subdivision.

BC Hydro

BC Hydro runs down the lane north of the subdivision. BC Hydro will continue the line to service the properties; however there are two ways to service the subdivision:

1. First is to continue the power line in a straight line through the subdivision. This option would require that a right of way (ROW) be created before subdivision. An advantage is that the amount of infrastructure needed to be installed will be less. Private property works will need to be installed by the contractor, not BC Hydro, which will result in construction savings. A disadvantage is the maintenance of the ROW in the future.
2. Second option is to come out of the lane onto Bellshill Rd., cut over to Carriere Rd., and then continue down Carriere Rd. The disadvantage with this option is more infrastructure will need to be installed by BC Hydro at higher cost. However, the advantage is no ROW will be required.

PARKS

- Interests unaffected by the proposal.

VIHA

- The change from 'Future Residential' to 'Residential' OCP designation is approved.
- The approval for the Zoning change from 'FD Future Development' to 'RR2 Semi Rural Residential' is not recommended by VIHA – See attached letter dated December 11, 2018 from the Environmental Health Officer. The letter also provides recommendations that would allow for approval if the applicant were to consider redesign for larger lot sizes (at minimum 0.5 acres per lot) or connection to municipal sewerage system.

Conclusions

In considering the Official Community Plan and Zoning bylaw amendments, the Advisory Planning Commission and City Council should consider whether the proposed amendments are appropriate for the site and for the community.

The proposed subdivision is compatible with the character of the existing residential neighbourhood. The extension of the City of Port Alberni sanitary sewer system should be strongly considered, specifically due to the proposed lot sizes and the Island Health Subdivision Standards. The Planning Department supports the Official Community Plan and Zoning Bylaw amendments.

Recommendations

1. *That the Advisory Planning Commission recommends to City Council that the City proceed with a map amendment to the Official Community Plan Schedule A Land Use Map to change the designation of Lot E, District Lot 139, Alberni District, Plan VIP38023 (PID: 001-011-090) located at **2940 Bellshill Road** from 'Future Residential' to '**Residential**' use.*
2. *That the Advisory Planning Commission recommends to City Council that the City proceed with a map amendment to the Zoning Bylaw (Schedule A – Zoning Map) to change the designation of Lot E, District Lot 139, Alberni District, Plan VIP38023 (PID: 001-011-090) located at **2940 Bellshill Road** from 'FD Future Development' to '**RR2 Semi Rural Residential**'.*

3. *That the Advisory Planning Commission recommends to City Council that as part of the development process the applicant be required to complete the following before final adoption of the bylaw:*

- a. *Receive a Preliminary Layout Approval letter for subdivision from the City of Port Alberni's Approving Officer.*

Respectfully submitted,

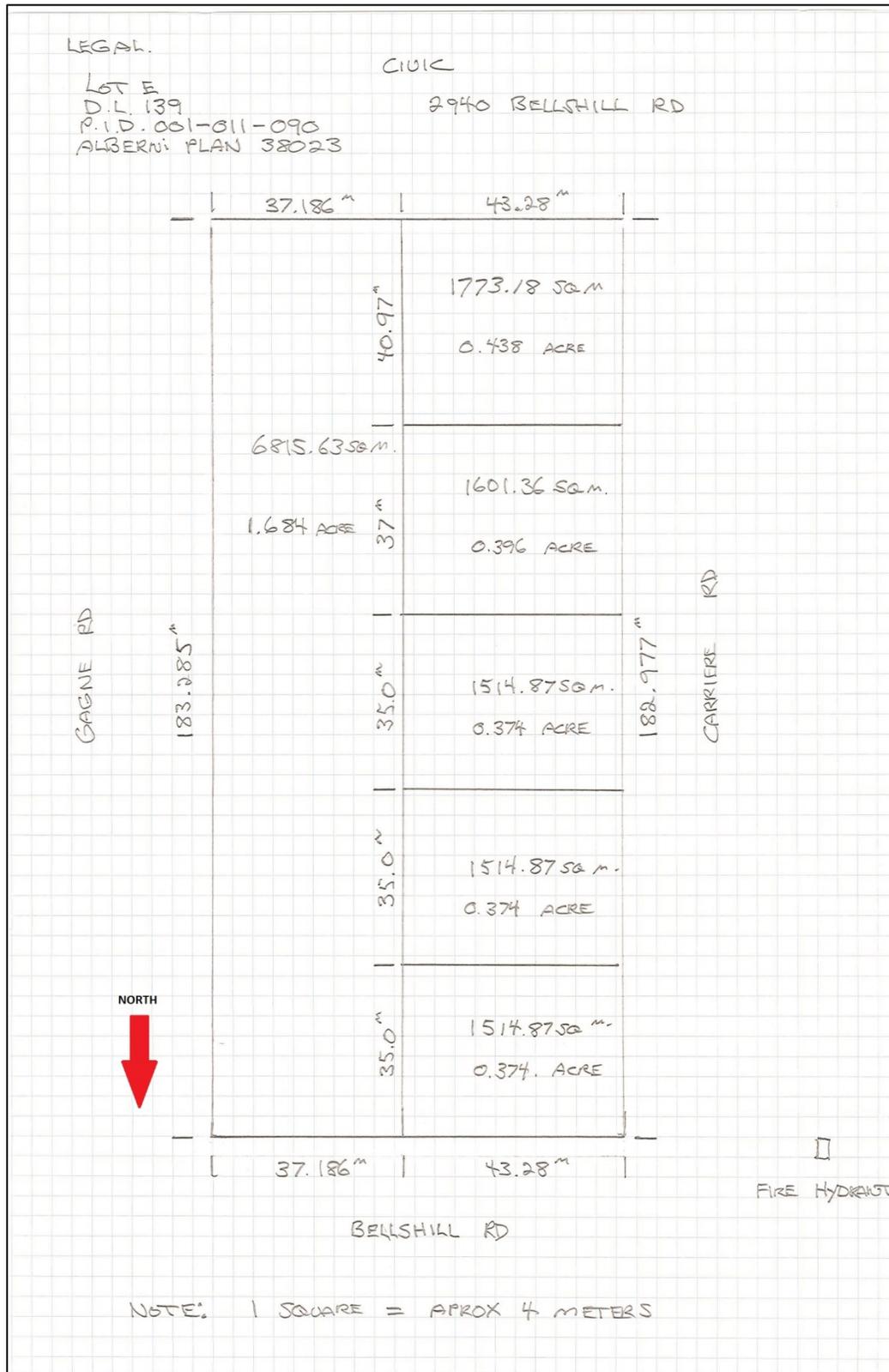
Katelyn McDougall

Katelyn McDougall, M.Urb
Manager of Planning

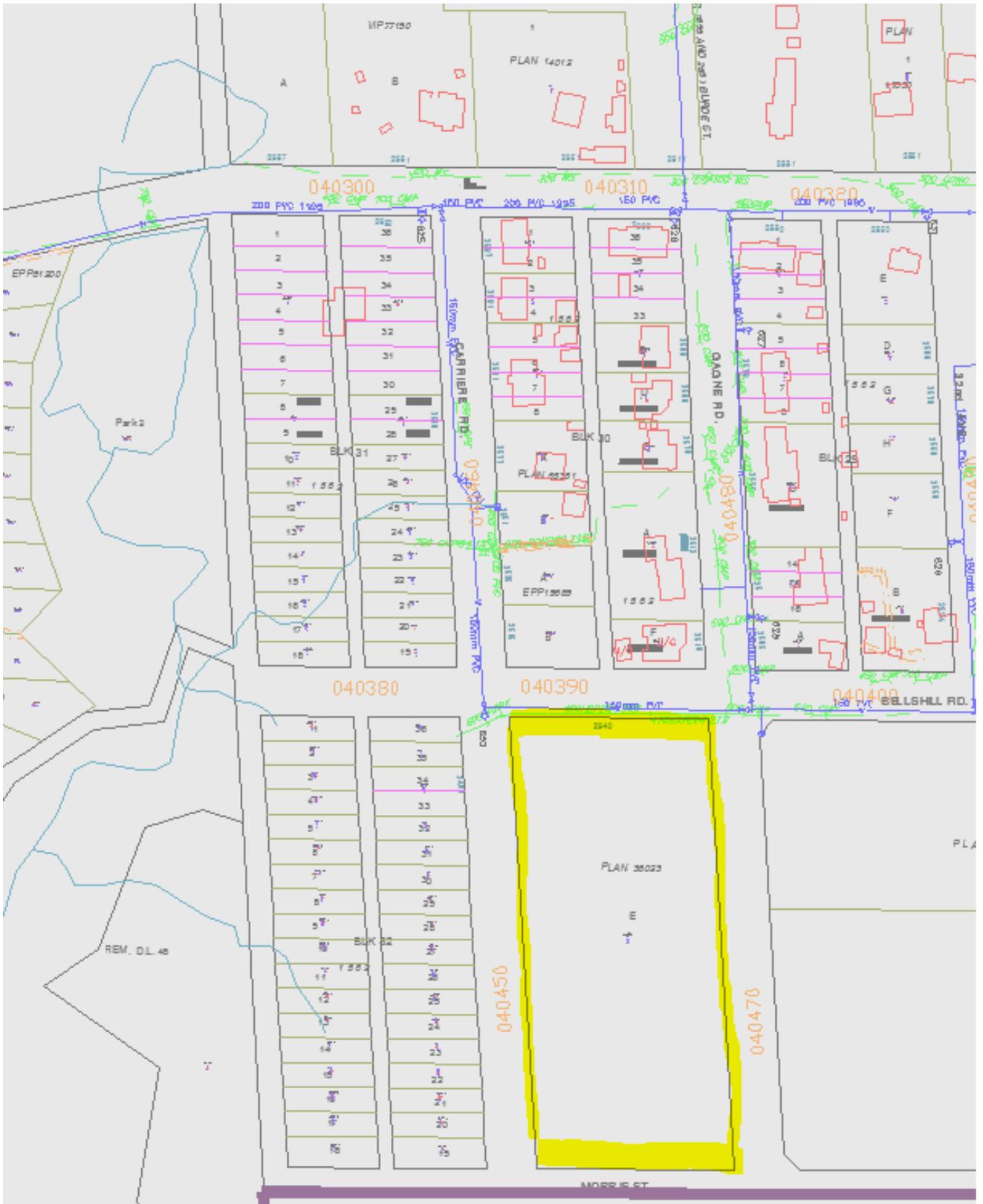
SUBJECT PROPERTY – 2940 Bellshill Road



Conceptual Layout – 6 Lots



Infrastructure



RR2 – SEMI RURAL RESIDENTIAL

5.10 The purpose of this zone is to provide for low density development of a semi-rural character.

5.10.1 Permitted uses

Principal Uses

Single family dwelling

Accessory Uses

Bed and breakfast

Home occupation

Secondary Suite

Supportive housing

5.10.2 Site Development Regulations

Minimum Lot Area	1160 m ²	(12,487 ft ²)
Minimum Frontage	23 m	(75.5 ft)
Maximum Coverage	33%	
Minimum Setbacks:		
Front yard	7.5 m	(24.6 ft)
Rear yard	9 m	(29.5 ft)
Side yard	1.5 m	(4.9 ft)
Maximum Floor Area Ratio	0.4	
Maximum Height, Principal Building	10 m	(32.8 ft)
Maximum Number of Principal Building Storeys	2.5	
Maximum number of residential units per lot	2	

5.10.3 Conditions of Use

- (a) Notwithstanding the provisions of 5.10.2:
 - (i) The sum of the width of both side yards must be equal to or greater than 20% of the lot width.
 - (ii) On a corner lot, the side yard by the flanking street must be not less than 3.5 metres (11.5 ft) wide.
 - (iii) For single family dwellings having no carport or attached garage and with no access to the rear or the side of the lot from a street or lane, the minimum side yard requirement shall be increased to 3 m (9.8 ft) for one side yard.
- (b) For supportive housing, the maximum number of persons in care shall not exceed four (4).
- (c) Only one of the three (3) following accessory uses is permitted on any lot: bed and breakfast OR secondary suite OR supportive housing.

Excellent health and care, for everyone,
everywhere, every time.



December 11, 2018

Cara Foden
City of Port Alberni
Development Services Dept.
4850 Argyle Street,
Port Alberni, BC V9Y 1V8

Dear Ms. Foden:

**RE: Development Application – Proposed Official Community Plan Bylaw and Zoning
Bylaw Amendments
2940 Bellshill Road
Lot E, District Lot 139, Alberni District, Plan 38023 (PID: 001-011-090)**

Thank you for the opportunity to provide comments for the above development application.

A. Official Community Plan Map Amendments:

Approval of 'Future Residential' to 'Residential' is recommended subject to appropriate zoning designation.

B. Zoning Bylaw Map Amendment:

Approval is not recommended for the zoning designation from 'FD Future Development' to 'RR2 Semi Rural Residential' for the following reasons:

In consideration of section 9.2 of the City of Port Alberni Official Community Plan, it is presumed that the six proposed subdivided lots for this development application will each have its own on-site sewerage system or will share a community/strata sewerage system. Please be aware that the Island Health Subdivision Standards require lot sizes to be a minimum of 0.5 acres under ideal mineral native soil depth and overall lot slope conditions. Note that these standards are higher than the ones outlined in the BC Sewerage System Standard Practice Manual, which states that the manual is not intended for subdivisions. This is because the Subdivision Standards account for the cumulative impact with increased density using onsite sewerage systems over time.

Recommendations to allow for approval include:

Redesigning the lot sizes in consideration of the Island Health Subdivision Standards, or considering connection to the municipal sewerage system should this area be an urban density development.

Development Application for 2940 Bellshill Rd
December 11, 2018

Page 2 of 2

Comments:

Please be reminded that any construction, installation, alteration or extension of the water supply system must be issued a construction permit by the Public Health Engineer as per the *BC Drinking Water Protection Act and Regulation*.

Please contact the undersigned for any questions.

Yours sincerely,



Jackie Chiu, CPHI(C)
Environmental Health Officer

JC/bas



CITY OF PORT ALBERNI

PLANNING DEPARTMENT REPORT TO THE ADVISORY PLANNING COMMISSION

TO: Advisory Planning Commission

FROM: Katelyn McDougall, Manager of Planning

DATE: March 13, 2019

SUBJECT: DEVELOPMENT APPLICATION – Proposed Official Community Plan bylaw and Zoning Bylaw Amendments
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Applicant: D. Carriere

Issue

The purpose of this report is to consider an application for amendments to the Official Community Plan bylaw and to the Zoning bylaw for the property at 2940 Bellshill Road.

Background

The subject property is a 1.47 ha (3.6 ac) parcel located in a semi-rural neighbourhood on the east side of the city, on the south side of Burde Street. The frontage on Carriere Road measures 182.977 metres (600.3') and is 40.466 metres (132.76') deep, fronting onto Bellshill Road. The property is currently vacant land.

An application has been made to amend the Official Community Plan bylaw and the Zoning bylaw in order to facilitate a subdivision application that would create six (6) semi-rural lots in an area of the city that is not currently serviced by city water, sanitary sewer or storm drains (see attached concept plan).

Official Community Plan and Zoning Bylaw

- a) The Official Community Plan designation for *Lot E, District Lot 139, Alberni District, Plan 38023 (PID: 001-011-090)* located at **2940 Bellshill Road**, is 'Future Residential' on the Official Community Plan Schedule A – Land Use Map. An amendment is required to designate the property as 'Residential'.
- b) The property does not lie within a Development Permit Area on the Schedule B – Development Permit Areas Map. No amendment is required.
- c) The property at **2940 Bellshill Road, Lot E, District Lot 139, Alberni District, Plan 38023 (PID: 001-011-090)**, is currently zoned FD – Future Development. A map amendment to the Zoning Bylaw Schedule A - Zoning Map is required to designate the properties as **RR2 – Semi Rural Residential**.

Discussion

Zoning:

The RR2 zone (see attached) allows for development of lots with a minimum frontage of 23 m and minimum lot size of 1160 m².

The proposed lots on the concept plan would have frontages of over 23 m and lot sizes exceeding the requirements of the zoning (see attached conceptual layout/site plan). It should be possible to subdivide the property to create five (5) new smaller properties along the east side of the parcel, and one (1) larger property along the west side of the parcel.

Surrounding Area and Lot Size

The subject property is located in a semi-rural neighborhood on the east side of the city, to the south of Burde Street. The surrounding area is primarily single family residential use in character and includes a variety of lot sizes. There are small acreages, mid-sized lots and several urban sized lots including small lots that were historically created when the area was originally surveyed. The proposed subdivision will be required to follow the best management practices laid out in the Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development in British Columbia, and also the Island Health 'Subdivision Standards, July 2013' document. Comments received from Island Health indicate a preference for a larger lot size than what has been proposed if the properties are not going to be connected to the municipal sewer system.

Infrastructure

Road: There is an existing, but unconstructed, road right of way for Bellshill Road along the north property boundary. There is also an existing, but unconstructed, road right of way for Gagne Road along the east property boundary. As the majority of proposed lots are along Carriere Road (west property boundary), Carriere Road should be required to be constructed to the City of Port Alberni standard in order to provide the created lots with access and frontage on a constructed city road way. The portion of Bellshill Road required to provide access to the single large lot on the east side of the property also needs to be constructed to the City's standards, and should come in off of Carriere Road. The applicant will be responsible for all or a portion of the costs of road construction, which will be determined prior to subdivision approval

Addressing: The lots facing Carriere Road would be assigned off Carriere, whereas the large single lot on the east side could remain addressed off Bellshill Road.

Water: Servicing of water needs to allow for looping of the water main, ideally around the perimeter of whole property within the Carriere, Gagne, and Morris Rd rights of way. This will allow for future servicing of properties east and west of the subject property.

There is a City water main available along the unconstructed Bellshill Road ROW adjacent to the north property boundary. This water main may need to be relocated as part of the subdivision design. As part of the subdivision process the applicant will be required to submit engineering design drawings and specifications completed by a Professional Engineer registered in BC and qualified by training and experience to undertake the required design. Designs shall conform to the requirements of the Engineering Department Standards and Specification as approved by the Director of Public Works.

Sanitary Sewer: The sanitary sewer system does not currently extend to this section of the City of Port Alberni. As part of the engineering design work for the second phase of the nearby Uplands subdivision an engineering feasibility for a gravity sanitary sewer system further east along Burde Street was undertaken. The area has become the subject of several recent zoning applications to facilitate further subdivision. The feasibility of extending the City sanitary sewer was examined. During servicing for the Uplands Phase II development, extension of the sanitary sewer main (300 mm dia PVC) was provided in anticipation of future development up Burde Street. The feasibility and cost of extending this sanitary main up Burde St to service this subdivision should be considered by the developer's Engineer, prior to approval of any on-site septic systems.

In April of 2017 the Advisory Planning Commission recommended to City Council that subdivision approval of a nearby application be subject to connection to the City Sanitary sewer infrastructure. Council supported the recommendations and the Bylaw was moved forward through a Public Hearing and 3rd reading but did not proceed to final adoption as the applicant let the application lapse.

Storm Drainage: A Storm Water Management Plan will be required to be prepared by the developer's engineer as part of the subdivision process. The plans will be prepared by the developer's engineer and approved by the Director of Public Works.

Private Utilities: BC Hydro and other private utilities are available along Burde Street. BC Hydro has provided comments, with there being two options for servicing.

The detailed issues regarding sanitary and storm sewer, water service and private utilities will be addressed in the preliminary layout approval during the subdivision process. All engineering submissions will be reviewed and approved by the Director of Public Works, and must adhere to the City's engineering standards.

The detailed issues and costs regarding servicing requirements will be specified during the Subdivision process and included in a Preliminary Layout Approval letter to the applicant.

Park, Trail and Wetland

A large portion of the property is treed and the property is located in area where wetland values may be impacted. An Environmental Assessment will be required as part of the subdivision process and details regarding the environmental areas will be required to be addressed in the Preliminary Layout approval.

Parkland dedication or payment in lieu will be a requirement of subdivision. As the property is located just north of Owatchet Creek and the Dry Creek Ravine there is access to the trail system in the ravine.

Referrals

RCMP

- Interests unaffected by the proposal.

Building Inspector

- The building department has no comments on this subdivision.

BC Hydro

BC Hydro runs down the lane north of the subdivision. BC Hydro will continue the line to service the properties; however there are two ways to service the subdivision:

1. First is to continue the power line in a straight line through the subdivision. This option would require that a right of way (ROW) be created before subdivision. An advantage is that the amount of infrastructure needed to be installed will be less. Private property works will need to be installed by the contractor, not BC Hydro, which will result in construction savings. A disadvantage is the maintenance of the ROW in the future.
2. Second option is to come out of the lane onto Bellshill Rd., cut over to Carriere Rd., and then continue down Carriere Rd. The disadvantage with this option is more infrastructure will need to be installed by BC Hydro at higher cost. However, the advantage is no ROW will be required.

PARKS

- Interests unaffected by the proposal.

VIHA

- The change from 'Future Residential' to 'Residential' OCP designation is approved.
- The approval for the Zoning change from 'FD Future Development' to 'RR2 Semi Rural Residential' is not recommended by VIHA – See attached letter dated December 11, 2018 from the Environmental Health Officer. The letter also provides recommendations that would allow for approval if the applicant were to consider redesign for larger lot sizes (at minimum 0.5 acres per lot) or connection to municipal sewerage system.

Conclusions

In considering the Official Community Plan and Zoning bylaw amendments, the Advisory Planning Commission and City Council should consider whether the proposed amendments are appropriate for the site and for the community.

The proposed subdivision is compatible with the character of the existing residential neighbourhood. The extension of the City of Port Alberni sanitary sewer system should be strongly considered, specifically due to the proposed lot sizes and the Island Health Subdivision Standards. The Planning Department supports the Official Community Plan and Zoning Bylaw amendments.

Recommendations

1. *That the Advisory Planning Commission recommends to City Council that the City proceed with a map amendment to the Official Community Plan Schedule A Land Use Map to change the designation of Lot E, District Lot 139, Alberni District, Plan VIP38023 (PID: 001-011-090) located at **2940 Bellshill Road** from 'Future Residential' to '**Residential**' use.*
2. *That the Advisory Planning Commission recommends to City Council that the City proceed with a map amendment to the Zoning Bylaw (Schedule A – Zoning Map) to change the designation of Lot E, District Lot 139, Alberni District, Plan VIP38023 (PID: 001-011-090) located at **2940 Bellshill Road** from 'FD Future Development' to '**RR2 Semi Rural Residential**'.*

3. *That the Advisory Planning Commission recommends to City Council that as part of the development process the applicant be required to complete the following before final adoption of the bylaw:*

a. Receive a Preliminary Layout Approval letter for subdivision from the City of Port Alberni's Approving Officer.

Respectfully submitted,

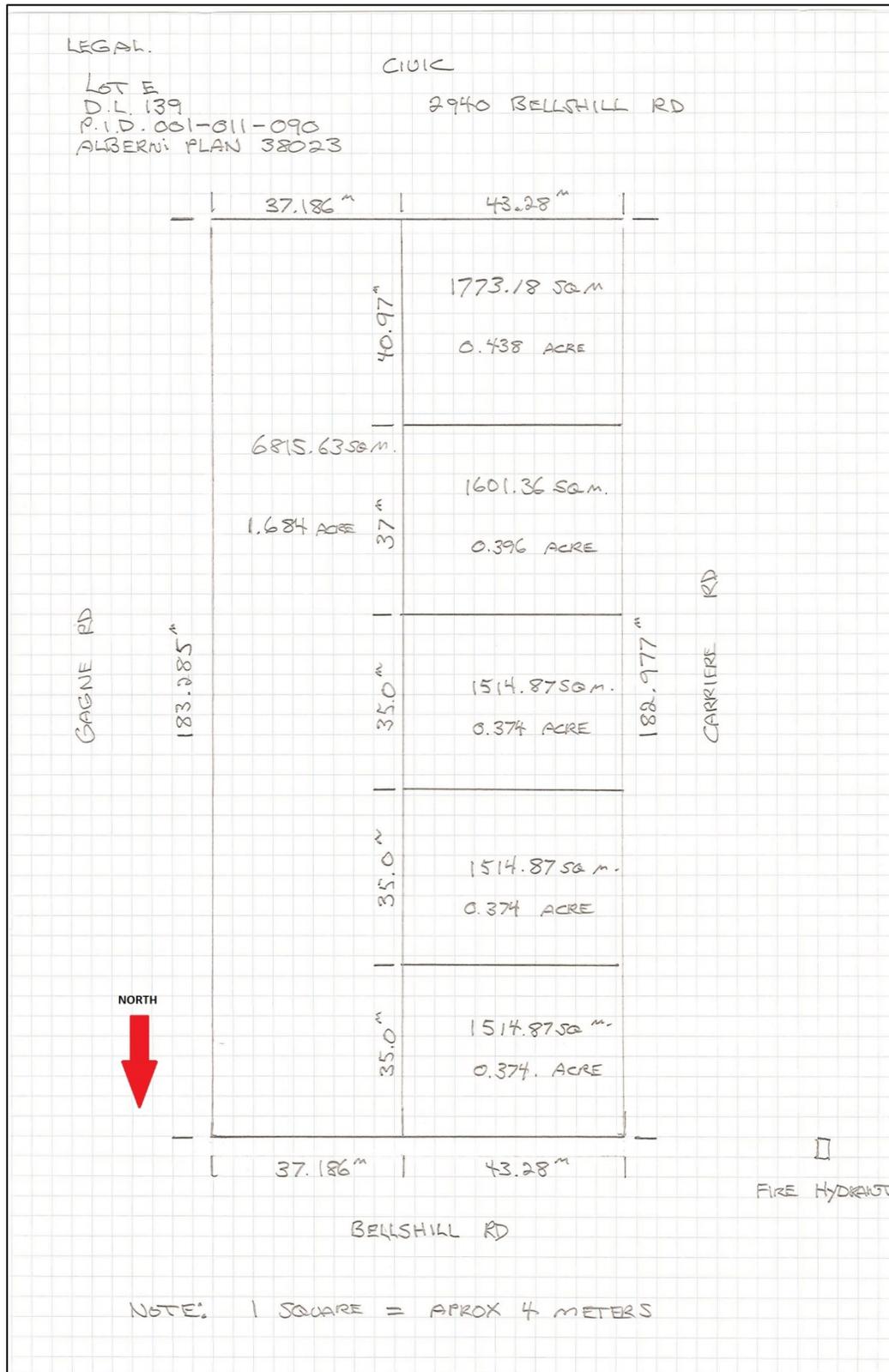
Katelyn McDougall

Katelyn McDougall, M.Urb
Manager of Planning

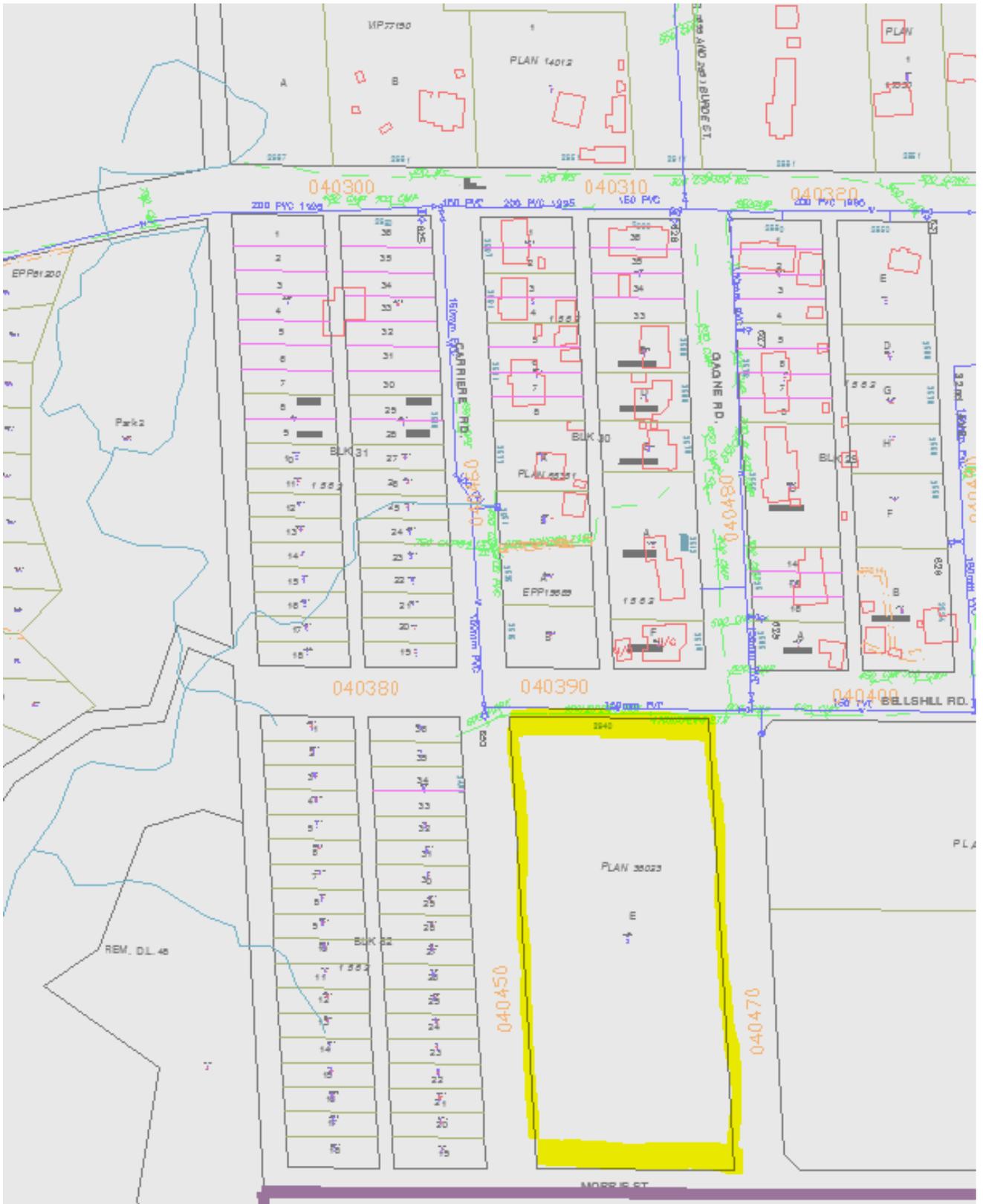
SUBJECT PROPERTY – 2940 Bellshill Road



Conceptual Layout – 6 Lots



Infrastructure



RR2 – SEMI RURAL RESIDENTIAL

5.10 The purpose of this zone is to provide for low density development of a semi-rural character.

5.10.1 Permitted uses

Principal Uses

Single family dwelling

Accessory Uses

Bed and breakfast

Home occupation

Secondary Suite

Supportive housing

5.10.2 Site Development Regulations

Minimum Lot Area	1160 m ²	(12,487 ft ²)
Minimum Frontage	23 m	(75.5 ft)
Maximum Coverage	33%	
Minimum Setbacks:		
Front yard	7.5 m	(24.6 ft)
Rear yard	9 m	(29.5 ft)
Side yard	1.5 m	(4.9 ft)
Maximum Floor Area Ratio	0.4	
Maximum Height, Principal Building	10 m	(32.8 ft)
Maximum Number of Principal Building Storeys	2.5	
Maximum number of residential units per lot	2	

5.10.3 Conditions of Use

- (a) Notwithstanding the provisions of 5.10.2:
 - (i) The sum of the width of both side yards must be equal to or greater than 20% of the lot width.
 - (ii) On a corner lot, the side yard by the flanking street must be not less than 3.5 metres (11.5 ft) wide.
 - (iii) For single family dwellings having no carport or attached garage and with no access to the rear or the side of the lot from a street or lane, the minimum side yard requirement shall be increased to 3 m (9.8 ft) for one side yard.
- (b) For supportive housing, the maximum number of persons in care shall not exceed four (4).
- (c) Only one of the three (3) following accessory uses is permitted on any lot: bed and breakfast OR secondary suite OR supportive housing.

Excellent health and care, for everyone,
everywhere, every time.



December 11, 2018

Cara Foden
City of Port Alberni
Development Services Dept.
4850 Argyle Street,
Port Alberni, BC V9Y 1V8

Dear Ms. Foden:

**RE: Development Application – Proposed Official Community Plan Bylaw and Zoning
Bylaw Amendments
2940 Bellshill Road
Lot E, District Lot 139, Alberni District, Plan 38023 (PID: 001-011-090)**

Thank you for the opportunity to provide comments for the above development application.

A. Official Community Plan Map Amendments:

Approval of 'Future Residential' to 'Residential' is recommended subject to appropriate zoning designation.

B. Zoning Bylaw Map Amendment:

Approval is not recommended for the zoning designation from 'FD Future Development' to 'RR2 Semi Rural Residential' for the following reasons:

In consideration of section 9.2 of the City of Port Alberni Official Community Plan, it is presumed that the six proposed subdivided lots for this development application will each have its own on-site sewerage system or will share a community/strata sewerage system. Please be aware that the Island Health Subdivision Standards require lot sizes to be a minimum of 0.5 acres under ideal mineral native soil depth and overall lot slope conditions. Note that these standards are higher than the ones outlined in the BC Sewerage System Standard Practice Manual, which states that the manual is not intended for subdivisions. This is because the Subdivision Standards account for the cumulative impact with increased density using onsite sewerage systems over time.

Recommendations to allow for approval include:

Redesigning the lot sizes in consideration of the Island Health Subdivision Standards, or considering connection to the municipal sewerage system should this area be an urban density development.

Development Application for 2940 Bellshill Rd
December 11, 2018

Page 2 of 2

Comments:

Please be reminded that any construction, installation, alteration or extension of the water supply system must be issued a construction permit by the Public Health Engineer as per the BC *Drinking Water Protection Act and Regulation*.

Please contact the undersigned for any questions.

Yours sincerely,



Jackie Chiu, CPHI(C)
Environmental Health Officer

JC/bas



CITY OF PORT ALBERNI

PLANNING DEPARTMENT REPORT TO THE ADVISORY PLANNING COMMISSION

TO: Advisory Planning Commission

FROM: Katelyn McDougall, Manager of Planning

DATE: March 13, 2019

SUBJECT: DEVELOPMENT APPLICATION – Proposed Zoning Bylaw Amendment
3512 Gagne Road - Lot A (DD EE1959), Block 30, District Lot 139, Alberni District,
Plan 1562 (PID: 017-028-591)
Applicant: N. Bouelle

Issue

The purpose of this report is to consider a map amendment to the Zoning bylaw for the property at 3512 Gagne Road.

Background

An application has been made to amend the Zoning bylaw to rezone 3512 Gagne Road from 'RR1 – Rural Residential' to designate the property as 'R1 – Single Family Residential' in order to facilitate a subdivision application. The property currently consists of one residential lot occupied by a single family dwelling, a legal suite and a detached garage located on the south end of the property. The intent of subdivision would be to create one (1) new lot at the north end of the property.

Official Community Plan and Zoning Bylaw

- a) The Official Community Plan designation for *Lot A (DD EE1959), Block 30, District Lot 139, Alberni District, Plan 1562 (PID: 017-028-591)* located at **3512 Gagne Road**, is 'Residential' on the Official Community Plan Schedule A – Land Use Map. No amendment is proposed or required.
- b) The property does not lie within a Development Permit Area on the Schedule B – Development Permit Areas Map. No amendment is required.
- c) The property at **3512 Gagne Road, Lot A (DD EE1959), Block 30, District Lot 139, Alberni District, Plan 1562 (PID: 017-028-591)**, is currently zoned 'RR1 Rural Residential'. A map amendment to the Zoning Bylaw Schedule A - Zoning Map is proposed to designate the property as **R1 – Single Family Residential**.

Discussion

Zoning:

The subject property is located in a semi-rural neighborhood on the east side of the city, to the south of Burde Street, along Gagne Road. The frontage on Gagne Road measures 60.4 metres (198') and is 37.2 metres (122') deep. The total area of the site is 2,244.1 m² (24,156 ft²), which does not meet the lot size requirements in the existing RR1 Rural Residential zone.

The R1 zone (see attached) has a minimum frontage requirement of 15 m (49.2 ft.) and a minimum lot area requirement of 600 m² (6458 ft²). With the total site area being ±2,244.1 m² (24,156 ft²) it should be possible to subdivide the property to meet these requirements and create one slightly larger lot to accommodate the existing building structures, and one new, slightly smaller, lot.

Based on the conceptual plan for the proposed subdivision (see attached) the larger lot with the existing building structures would have a frontage of ±39.9 m (±131.2 ft.) along Gagne Road and a total area of ±1,487 m² (±16,006 ft²). In addition one smaller vacant lot would be created on the north portion of the site. The smaller of the two proposed lots would have frontage of ±20.4 m (±67 ft.) along Gagne Road and a total area of ±757 m² (±8,149 ft²). Both lots would exceed the minimum lot size requirement of 600 m² and the minimum frontage requirements of 15 m in the R1 zone. The maximum site coverage permitted in the R1 zone is 40% which should be adequate to allow future development on the smaller lot.

Surrounding Area

The subject property is located in a semi-rural neighborhood on the east side of the city, to the south of Burde Street, along Gagne Road. The surrounding area is primarily zoned FD, RR1 or RR2. The neighborhood consists of mainly single family residential uses in character and includes a variety of lot sizes. There are small acreages, mid-sized lots and several urban sized lots including small lots that were historically created when the area was originally surveyed.

This area was brought into the City boundaries in December 1996 and there has been subdivision and development activity in recent years. To the west of the property, further down along Burde Street, new development and subdivision is in the process of being enabled including the Uplands II and Anderson Hill developments. Future development is currently being considered at the end of Carriere Road as well. The rezoning and future subdivision of this property reflects the nature of change already occurring in the area, and provides an opportunity for gentle densification that is not out of character with the surrounding neighborhood.

Infrastructure

Road: Gagne Road provides access along the east property boundary. There is a lane to the rear of the property that is used by the applicant to provide parking for a tenant. The storm drainage ditch also crosses the lane to the rear of the proposed new lot.

Addressing: The addressing of the new parcel will be determined as part of the subdivision process.

Water: There is a City water main available along Gagne Road right of way (ROW) which allows for servicing development on both sides of the constructed portion of Gagne Road. As part of the subdivision process the applicant will be required to submit engineering design drawings and specifications completed by a Professional Engineer registered in BC and qualified by training and experience to undertake the required design. Designs shall conform to the requirements of the Engineering Department Standards and Specifications as approved by the Director of Public Works.

Sanitary Sewer: The sanitary sewer system does not currently extend to this section of the City of Port Alberni. As part of the engineering design work for the second phase of the nearby Uplands subdivision an engineering feasibility for a gravity sanitary sewer system further east along Burde Street was undertaken. The area has become the subject of several recent zoning applications to facilitate further subdivision. The feasibility of extending the City sanitary sewer was examined, and during servicing for the Uplands Phase II development extension of the sanitary sewer main (300 mm dia PVC) was provided in anticipation of future development up Burde Street. The feasibility and cost of extending this sanitary main up Burde St to service this subdivision should be considered by the developer's Engineer, prior to approval of any on-site septic systems.

In April of 2017 the Advisory Planning Commission recommended to City Council that subdivision approval of a nearby application be subject to connection to the City Sanitary sewer infrastructure. Council supported the recommendations and the Bylaw was moved forward through a Public Hearing and 3rd reading but did not proceed to final adoption as the applicant let the application lapse.

Storm Drainage: Storm water is currently handled through an open ditch which lies within the area proposed for subdivision. A Storm Water Management Plan will be required to be prepared by the applicant's engineer as part of the subdivision process. The plans will be prepared by the developer's engineer and approved by the Director of Public Works.

Private Utilities: BC Hydro and other private utilities are available along Burde Street.

The detailed issues regarding sanitary and storm sewer, water service and private utilities will be addressed in the preliminary layout approval during the subdivision process. All engineering submissions will be reviewed and approved by the Director of Public Works, and must meet the City's engineering standards.

The detailed issues and costs regarding servicing requirements will be specified during the Subdivision process and included in a Preliminary Layout Approval letter to the applicant.

Park, Trail and Wetland

An assessment will be required as part of the subdivision process to determine the nature of the watercourse that runs along the north side of the property. Details regarding the wetland and environmental areas will be required to be addressed in the Preliminary Layout approval.

Parkland dedication or payment in lieu is not a requirement for this subdivision as only one lot will be created.

Referrals

RCMP

- Interests unaffected by the proposal.

FORTIS

- FortisBC Energy Inc. has no objections or concerns.

MFLNRORD (Ecosystems Section)

- Few concerns with the proposed rezoning. There appears to be a ditch on the proposed child lot (north of the current dwelling). If the ditch is a natural watercourse, any alteration of the ditch for the purpose of development, such as re-routing, infilling, or culverting, will require an authorization under the Water Sustainability Act.

BC Hydro

- BC Hydro has single phase power in the lane. However there will be no poles in front of the property to connect to. A ROW across the larger lot may be required.

Telus

- Telus has no objections to the proposed site.

VIHA

- No comments received, and we assume the agency has no concerns.

Shaw (Communications)

- No comments received, and we assume the agency has no concerns.

Canada Post

- No comments received, and we assume the agency has no concerns.

City - Building Inspector

- No comments on the zoning itself. It was noted that it appears that the city storm water via the ditch system on Gagne Road comes through the property somewhat diagonally. Should a ROW be used to facilitate the storm water, it would need to be on either side of the lot (N or S) and not follow any other path so a building site is not impeded.

City - Parks Operations Superintendent

- No comments received, and we assume no concerns.

City - Director of Engineering and Public Works

- An existing drainage course (ditch) will need to be maintained across the subject property, by relocating said drainage to the north or south (open ditch or piped). The ditch or drainage system needs to be protected via a drainage easement in favour of the City.

City - Fire Department

- No comments received, and we assume no concerns.

Conclusions

In considering the Zoning bylaw amendment, the Advisory Planning Commission and City Council should consider whether the proposed amendments are appropriate for the site and for the community. The Official Community Plan is supportive of encouraging development within existing developed areas through infill and redevelopment. The proposed subdivision is compatible with the character of the existing residential neighbourhood. Extension of the City of Port Alberni sanitary sewer system should be considered. The Planning Department supports the Zoning Bylaw amendments.

Recommendations

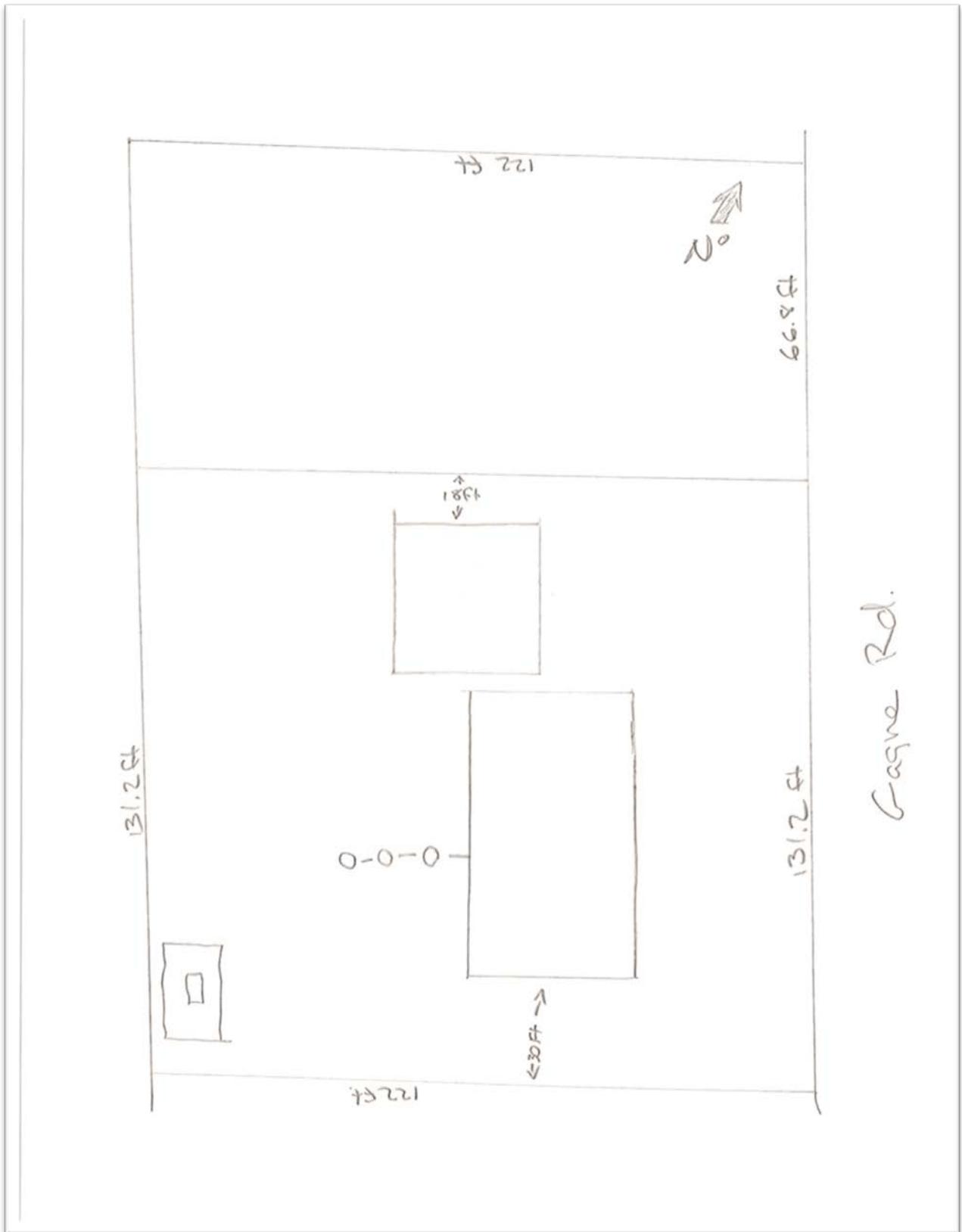
1. *That the Advisory Planning Commission recommends to City Council that the City proceed with a map amendment to the Zoning Bylaw (Schedule A – Zoning Map) to change the designation of Lot A (DD EE1959), Block 30, District Lot 139, Alberni District, Plan 1562 (PID: 017-028-591) located at **3512 Gagne Road** from 'RR1 Rural Residential' to '**R1 Single Family Residential**'.*
2. *That the Advisory Planning Commission recommends to City Council that as part of the development process the applicant be required to complete the following before final adoption of the bylaw:*
 - a. *Receive a Preliminary Layout Approval (PLA) letter for subdivision from the City of Port Alberni's Approving Officer.*

Respectfully submitted,



Katelyn McDougall, M.Urb.,
Manager of Planning

Conceptual Layout – 2 Lots



R1 – SINGLE FAMILY RESIDENTIAL

5.11 The purpose of this zone is to establish and maintain quiet, low density neighbourhoods.

5.11.1 Permitted uses

Principal Uses

Single family dwelling

Accessory Uses

Bed and breakfast

Home occupation

Secondary suite

Supportive housing

5.11.2 Site Development Regulations

Minimum Lot Area	600 m ²	6458 ft ²
Minimum Frontage	15 m	49.2 ft
Maximum Coverage	40%	
Minimum Setbacks:		
Front yard	7.5 m	(24.6 ft)
Rear yard	9 m	(29.5 ft)
Side yard	1.5 m	(4.9 ft)
Maximum Floor Area Ratio	0.5	
Maximum Height, Principal Building	10 m	(32.8 ft)
Maximum Number of Principal Building Storeys	2.5	
Maximum number of dwelling units per lot	2	

5.11.3 Conditions of Use

- (a) Notwithstanding the provisions of 5.11.2:
 - (i) On a corner lot, the side yard by the flanking street must be not less than 3.5 metres (11.5 ft) wide.
 - (ii) For single family dwellings having no carport or attached garage and with no access to the rear or the side of the lot from a street or lane, the minimum side yard requirement shall be increased to 3 m (9.8 ft) for one side yard.
- (b) For supportive housing, the maximum number of persons in care shall not exceed four (4).
- (c) Only one of the three (3) following accessory uses is permitted on any lot: bed and breakfast OR secondary suite OR supportive housing.